
HOUSE BILL 2804

State of Washington 54th Legislature 1996 Regular Session

By Representatives McMorris and Fuhrman

Read first time 01/19/96. Referred to Committee on Natural Resources.

1 AN ACT Relating to reclamation permits; and amending RCW 78.44.081.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 78.44.081 and 1993 c 518 s 11 are each amended to read
4 as follows:

5 After July 1, 1993, no miner or permit holder may engage in surface
6 mining without having first obtained a reclamation permit from the
7 department. However, the operation of portable rock crushing units by
8 county governments are exempt from this requirement. Operating permits
9 issued by the department between January 1, 1971, and June 30, 1993,
10 shall be considered reclamation permits provided such permits
11 substantially meet the protections, mitigations, and reclamation goals
12 of RCW 78.44.091 and 78.44.131 within five years after July 1, 1993.
13 State agencies and local government shall be exempt from this time
14 limit for inactive sites. Prior to the use of an inactive site, the
15 reclamation plan must be brought up to current standards. A separate
16 permit shall be required for each noncontiguous surface mine. The
17 reclamation permit shall consist of the permit forms and any exhibits
18 attached thereto. The permit holder shall comply with the provisions

1 of the reclamation permit unless waived and explained in writing by the
2 department.

3 Prior to receiving a reclamation permit, an applicant must submit
4 an application on forms provided by the department that shall contain
5 the following information and shall be considered part of the
6 reclamation permit:

7 (1) Name and address of the legal landowner, or purchaser of the
8 land under a real estate contract;

9 (2) The name of the applicant and, if the applicants are
10 corporations or other business entities, the names and addresses of
11 their principal officers and resident agent for service of process;

12 (3) A reasonably accurate description of the minerals to be surface
13 mined;

14 (4) Type of surface mining to be performed;

15 (5) Estimated starting date, date of completion, and date of
16 completed reclamation of surface mining;

17 (6) Size and legal description of the permit area and maximum
18 lateral and vertical extent of the disturbed area;

19 (7) Expected area to be disturbed by surface mining during (a) the
20 next twelve months, and (b) the following twenty-four months;

21 (8) Any applicable SEPA documents; and

22 (9) Other pertinent data as required by the department.

23 The reclamation permit shall be granted for the period required to
24 deplete essentially all minerals identified in the reclamation permit
25 on the land covered by the reclamation plan. The reclamation permit
26 shall be valid until the reclamation is complete unless the permit is
27 canceled by the department.

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